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**VIA ECF**

The Honorable Joan M. Azrak, U.S.D.J.  
The Honorable Steven I. Locke, U.S.M.J.  
Eastern District of New York  
100 Federal Plaza, Courtroom 820  
Central Islip, New York 11722

**Re: *Hice v. Lemon*, No. 19-cv-04666 (JMA) (SIL)**  
**Stipulation to Amend Pleading**

Dear Judge Azrak:

The parties in the above-captioned matter jointly write to respectfully request that the Court dismiss Plaintiff's claims for lost earnings and diminished business opportunity damages against Defendant.

On October 20, 2020, counsel for Mr. Hice furnished defense counsel with an Amended Rule 26 Disclosure Statement which states: "Plaintiff withdraws his request for damages for lost earnings/diminished business opportunities." Accordingly, the parties request that the Court dismiss Plaintiff's request for damages for lost earnings/diminished business opportunities. In all other respects, Plaintiff's damages demand remains unchanged.

We appreciate the Court's consideration of our request.

Respectfully submitted,

**ARMSTRONG TEASDALE, LLP**

/s/Caroline J. Polisi  
Caroline J. Polisi, Esq.  
*Attorneys for Defendant*

cc via ECF: All Counsel of Record

**NESENOFF & MILTENBERG, LLP**

/s/ Adrienne Levy  
Adrienne Levy, Esq.  
*Attorneys for Plaintiff*